

**North Andover Conservation Commission Meeting Minutes
January 13, 2016**

Members Present: Louis A. Napoli, Chairman, Albert P. Manzi, Vice Chairman, Joseph W. Lynch, Jr., Douglas W. Saal.

Members Absent: Deborah A. Feltovic, John T. Mabon, Sean F. McDonough.

Staff Members Present: Jennifer A. Hughes, Conservation Administrator, Donna M. Wedge Conservation Secretary.

Pledge of Allegiance

Meeting came to Order at: 7:00 PM Quorum Present.

Approval of Minutes of 12/16/15

- A motion to accept the meeting minutes of 12/16/15 as drafted and reviewed is made by Mr. Manzi, seconded by Mr. Lynch.
- Vote unanimous.

Public Hearings: 7:01PM

Notice of Intent (NOI)

242-1672, 492 Sutton Street (Lawrence Municipal Airport) (Stantec Consulting Services, Inc.) (cont. from 12/16/15) (Request to cont. to 1/27/16)

- A motion to grant the requests for a continuance to the January 27, 2016 meeting is made by Mr. Manzi, seconded by Mr. Saal.
- Vote
- 3 in favor 1 abstain (Mr. Napoli abutter)

Document:

- *E/Mail prepared by Stantec Consulting Services, Inc. requests for a continuance to the January 27, 2016 meeting dated January 8, 2016*

242-1669, 265 Summer Street (Corliss) (Williams & Sparages) (cont. from 12/16/15)

- Mr. Gregory Hochmuth of Williams & Sparages presents the changes to the plan since the last hearing. Changes include a stockpile location, grading changes to the driveway (lower by almost 1'), movement of the erosion controls closer to wetland to allow for access around the side of the house, and a larger stone apron at the driveway entrance. The applicant proposes to excavate the entire driveway and replace in the same location.
- The administrator asks that the full plant list be provided to the Conservation Department prior to the start of construction.
- Mr. Hochmuth highlights that pavement is being removed so pavement can be added for the turnout. He also states that the driveway pavement is settling.
- Mr. Lynch states the new pavement will be closer but the pavement amount will not change so there should be no adverse effect.

- Mr. Saal states that full depth reconstruction of the driveway is best if it is settling.
- Mr. Lynch states there needs to be erosion control along the full length of the drive.
- Mr. Napoli restates that the applicant is asking to reconstruct the entire drive.
- Mr. Hochmuth states yes, approximately 130'.
- Mr. Napoli states saving even a small portion of the existing drive would not be worth it.
- Administrator states the applicant should put up more permanent wetland markers along the 25-foot No-Disturbance/edge of disturbance and asks what material the applicant would prefer.
- Mr. Lynch recommends wooden posts.
- Administrator requests a full planting list prior to the start of construction.
- Mr. Hochmuth states that it is still being tweaked.
- A motion to accept the waiver request is made by Mr. Manzi, seconded by Mr. Lynch.
- Vote unanimous.
- A motion to close and issue a decision within 21 days is made by Mr. Manzi, seconded by Mr. Lynch.
- Vote unanimous.

Documents:

- *Letters from Gregory Hochmuth of Williams & Sparages dated December 16, 2015 & January 11, 2016.*
- *Plan to accompany Notice of Intent prepared by Williams & Sparages revised Plan dated December 16, 2015, revised Plan dated January 11, 2016*

242-1673, 22 Harkaway Road (Brien) (Andover Consultants, Inc.) (cont. from 12/16/15)

- The Administrator states this matter was continued for the 4 week meeting gap and is ready to close and issue.
- A motion to close and issue a decision within 21 days is made by Mr. Manzi, seconded by Mr. Lynch.
- Vote unanimous.

242-1671, 2302 Turnpike Street (Earthworks) (Williams & Sparages)(cont. from 12/16/15) (Request to cont. to 1/27/16)

- A motion to grant the requests for a continuance to the January 27, 2016 meeting is made by Mr. Manzi, seconded by Mr. Lynch.
- Vote unanimous.

Document:

- *E/Mail prepared by Williams & Sparages requests for a continuance to the January 27, 2016 meeting dated January 11, 2016*

General Business: 7:15 PM

242-683, PCOC Request, 33 Weyland Circle (Lot 12B) (S. David White, P. C., Attorneys at Law)

- A motion to issue the PCOC for 33 Weyland Circle (Lot 12B) only is made by Mr. Manzi, seconded by Mr. Lynch.
- Vote unanimous.

Documents:

- *Letter prepared by S. David White P. C., Attorneys at Law dated January 5, 2016 requests for a Partial Certificate of Compliance*
- *WPA Form 8A-Request for Partial Certificate of Compliance*
- *Plan of Land prepared by Merrimack Engineering Services, Inc. dated September 19, 1995*
- *North Andover MIMAP prepared by the Town of North Andover Conservation Department dated January 12, 2016*

242-475, PCOC Request, 79 Huckleberry Lane (Lot 10) (Dalton & Finegold, LLP)

- A motion to issue the PCOC for 79 Huckleberry Lane (Lot 10) only is made by Mr. Manzi, seconded by Mr. Lynch.
- Vote unanimous.

Document:

- *WPA for 8A-Request for Partial Certificate of Compliance prepared by Dalton & Finegold, LLP dated December 23, 2015*

242-1169, COC Request, 2357 Turnpike Street (The Meadows) (Valley Realty Development)

- A motion to grant the requests for a continuance to the January 27, 2016 is made by Mr. Manzi, seconded by Mr. Lynch.
- Vote unanimous.

Document:

- *E/Mail prepared by Susan Mesiti of Real Estates Results, Inc. requests for a continuance to the January 27, 2016 meeting dated January 13, 2016*

242-1180, COC Request, 2357 Turnpike Street (The Meadows) (Water & Sewer Line) (Valley Realty Development) (GZA Environmental, Inc.)

- A motion to grant the requests for a continuance to the January 27, 2016 meeting is made by Mr. Manzi, seconded by Mr. Lynch.
- Vote unanimous.

Document:

- *E/Mail prepared by Susan Mesiti of Real Estates Results, Inc. requests for a continuance to the January 27, 2016 meeting dated January 13, 2016*

242-1447, COC Request, 2357 Turnpike Street (The Meadows) (Valley Realty Development)

- A motion to grant the requests for a continuance to the January 27, 2016 meeting is made by Mr. Manzi, seconded by Mr. Lynch.
- Vote unanimous.

Document:

- *E/Mail prepared by Susan Mesiti of Real Estates Results, Inc. requests for a continuance to January 27, 2016 meeting dated January 13, 2016*

242-1601, PCOC Request, 19-21 Cotuit Street (Seaport Homes, LLC) (cont. from 12/16/15)

- A motion to grant the requests for a continuance to the January 27, 2016 meeting is made by Mr. Manzi, seconded by Mr. Saal.
- Vote 3 in favor, 1 abstain (Mr. Lynch abutter)

Document:

- *E/Mail prepared by John Burke, Lawyer of Real Estate requests for a continuance to the January 27, 2016 meeting dated January 13, 2016*

242-1620, COC Request, 179 Osgood Street (North Andover Historical Society) (TTI Environmental, Inc.) (cont. from 12/26/15) (Request to cont. to 1/27/16)

- A motion to grant the requests for a continuance to the January 27, 2016 meeting is made by Mr. Manzi, seconded by Mr. Lynch.
- Vote unanimous.

Document:

- *E/Mail prepared by Stan Limpert of Northeast Landscape Contractor, Inc. requests for a continuance to the January 27, 2016 meeting dated January 12, 2016*

Discussion: 242-683, Oxbow/Colonial Subdivision (Woodland Estates) (A. C. Builders, Inc.)

- Administrator reviews the letter prepared by Town Counsel advising the steps the NACC would need to take to close out the Woodland Estates Subdivision. This includes starting the tax title taking process on the open space lands and having town counsel draft a letter to the Cormier heirs informing them of the specified timeframe in which to close out the file or face seizure of the bond to allow the town to do so. The Administrator states she has discussed this with Community Development Director and the acting Town Planner and recommends voting to proceed with the recommendations of Town Counsel as laid out in their December 2, 2015 letter.
- Mr. Manzi states that in past bond seizures an estimate has been needed of how much it will take to close out the project.
- Mr. Lynch also discusses the process that has been undertaken in prior bond seizures.
- A motion to proceed with the actions laid out in the Town Counsel Letter dated December 2, 2015 is made by Mr. Manzi, seconded by Mr. Lynch.
- Vote unanimous.

Document:

- *Letter prepared by Town Counsel Thomas J Urbelis of Urbelis, Fieldsteel & Bailin, LLP dated December 2, 2015*

Discussion: MACC Annual Environmental Conference 2016 Registration Form

- The commission members discuss attending the conference and review the workshop list.
- Commissioners will get their workshop choices to the Administrator by the next meeting.

Document:

- *Annual Environmental Conference 2016 Agenda and Workshop Schedule prepared by MACC*

Bylaw Regulations Revisions (cont. from 12/16/15)

- Administrator reviews the updated Stormwater Regulations completed with Eggleston Environmental.

- Mr. Lynch that the new MS4 permit could require changes to the Stormwater Bylaw.
- The Administrator states she will review that with Eggleston Environmental and will see if further changes are needed.
- A motion to grant the request for a continuance to the January 27, 2016 meeting is made by Mr. Manzi, seconded by Mr. Saal.
- Vote unanimous.

Enforcement Orders

242-1261 & 242-1601, Cotuit Street (Burke & Seaport Homes, LLC) (cont. from 12/16/15)

- Administrator states the recorded homeowners association documents have been received as well as a letter from the engineer certifying that work on stormwater management system is complete. The Administrator needs to do a final site inspection of the stormwater basin.
- A motion to grant the requests for a continuance to the January 27, 2016 is made by Mr. Manzi, seconded by Mr. Saal.
- Vote 3 in favor 1 abstain (Mr. Lynch abutter)

242-1559, 40 Sugarcane Lane (LaGrasse Family Realty Trust) (cont. from 12/16/15)

- A motion to grant the requests for a continuance to the January 27, 2016 meeting is made by Mr. Manzi, seconded by Mr. Saal.
- Vote unanimous.

19 Cotuit Street (Lot 2) (Olarsch)

- A motion to grant the requests for a continuance to the January 27, 2016 meeting is made by Mr. Manzi, seconded by Mr. Saal.
- Vote 3 in favor 1 abstain (Mr. Lynch abutter)

Decision

242-1673, 22 Harkaway Road

- Administrator reviews the draft Order of Conditions.
- The Commission accepts Order of Conditions as drafted and amended.
- A motion to accept the Order of Conditions as amended is made by Mr. Lynch, seconded by Mr. Manzi.
- Vote unanimous.

A motion to adjourn the meeting at 7:45 PM is made by Mr. Manzi, seconded by Mr. Lynch. Vote unanimous.